

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
SPECIAL CONFERENCE CALL
BOARD MEETING**

FINAL MINUTES

April 15, 2021

**(KEY: MSC = MOTION: MADE, SECOND: CARRIED
MSF = MOTION: MADE, SECOND: FAILED)**

THE SPECIAL MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 10:00 A.M. ON THURSDAY, APRIL 15, 2021, BY A VIDEO CONFERENCE CALL. PARTICIPATING BY CONFERENCE CALL WERE BOARD MEMBERS LOUISE STARK, (ACTING CHAIRMAN) TAMMY OVERACKER & ZACH MASON, EXECUTIVE DIRECTOR LORI THOMASON, OFFICE SUPERVISOR AMANDA HARPER, ENFORCEMENT CHIEF TAD TADLOCK, DOPL GENERAL COUNSEL NICK KREMA, PROSECUTING ATTORNEY KRISTEN ATWOOD, AND BOARD LEGAL COUNSEL ROGER HALES AND JOAN CALLAHAN.

ROLL CALL – A roll call was taken. It was noted that all Board members were in attendance except Brad Compton.

Joseph Dotson – Disciplinary and Guide License Application Hearing – A guide disciplinary and license application hearing was conducted by the Board's Prosecuting Attorney Mike Kane. Joseph Dotson, the applicant, was identified and placed under oath. Ms. Atwood explained that Director Thomason, by Board policy, had deferred Mr. Dotson's renewal guide license application due to the Enforcement Division's review and scoring of Mr. Dotson's flagrant fish and game violation disclosed on his application and pursuant to an Administrative Complaint because the fish and game violation occurred while licensed. Mr. Dotson is seeking a guide license for employment with Boulder Creek Outfitters. Mr. Dotson testified, and certain exhibits were introduced into evidence. **MSC (MOTION: MASON; SECOND: OVERACKER; AYES – MASON, OVERACKER, STARK; NAYES – NONE). TO FIND MR. DOTSON IN VIOLATION OF THE BOARD'S LAWS AND RULES AS SET FORTH IN THE ADMINISTRATIVE COMPLAINT AND BASED UPON THE EVIDENCE PRESENTED TODAY.**

MSC (MOTION: OVERACKER; SECOND: MASON; AYES – MASON, OVERACKER, AND STARK; NAYES – NONE). TO GRANT MR. DOTSON A RENEWAL GUIDE LICENSE WITH ONE YEAR RESTRICTED PROBATION.

MSC (MOTION: MASON; SECOND: OVERACKER; AYES – MASON, OVERACKER, AND STARK; NAYES – NONE). TO FINE MR. DOTSON \$100.

With the hearing being complete Ms. Atwood and Mr. Hales excused themselves at 10:48 a.m. and Joan Callahan joined the meeting.

PN2 SAFETY ISSUE – Mr. Tom Long explained that road construction created a portage situation on the PN2 river section that made it unsafe for boating. His information is that the situation will be resolved this afternoon. Nate Fisher from the Office of the Governor thanked Board staff Lori Thomason, Tom Long, and the Idaho Department of Transportation on their quick action to resolve the situation.

DESIGNATION OF ALLOCATED TAGS – The Board reviewed the calculations for the designation of allocated tags in previously established capped elk hunts. The Board walked through one calculation in a particularly complex calculation and reviewed how the tiebreaker rules applied. **MSC (MOTION: OVERACKER; SECOND: MASON; AYES – STARK, MASON AND OVERACKER; NAYES – NONE) TO ACCEPT AND ADOPT THE RECOMMENDATIONS FROM THE SUBCOMMITTEE FOR THE DESIGNATION OF ALLOCATED TAGS IN ESTABLISHED CAPPED ZONES. .**

Cont: Acting Board Chairman Stark asked Board Staff Amanda Harper to report to the Board what has been submitted to Fish & Game. Board Staff Amanda Harper responded that the newly capped hunts deer and elk were sent to Fish & Game since the Board is past any objections. The Board requested that the Idaho Fish and Game Department (IDFG) let Ms. Harper know when those tags are available for pick up by the outfitters, then an email will be sent to the industry notifying them that the tags are available to be picked up from IDFG. Once the objection period for the previously capped hunts is concluded, the designations will be sent to IDFG.

Cont: The Surrender Form, Transfer Form and Waiting List Form have been reviewed by the subcommittee and should be ready to post on the website. Board Member Overacker asked the industry to complete and submit the forms with all the questions answered to avoid Staff chasing down the information requested.

Discussion of issue from Disciplinary Hearing: The Board reviewed the change in law regarding the Board's authority to order the payment of attorney costs and fees as a sanction. The Board would like to consider cost recovery in the future when deliberating on penalties to impose. Board Attorney Callahan cautioned the Board about considering the cost to the board when determining discipline and reviewed the processes that are followed when the payment of costs and fees are imposed, and recommended that at the next Board meeting a discussion regarding the considerations and legal standards that apply when imposing costs and fees.

MSC (MOTION: MASON; SECOND: OVERACKER; AYES – MASON, OVERACKER AND STARK; NAYES – NONE) WITH ALL BUSINESS BEING COMPLETE ADJOURN THE MEETING AT 11:42 AM.

Louise Stark 8/9/21
LOUISE STARK, ACTING BOARD CHAIRMAN DATE

ATTEST:

Lori Thomason 8-9-2021
LORI THOMASON, EXECUTIVE DIRECTOR DATE